

# **MEDIATION**

**For CHILD CUSTODY and  
PARENTING TIME (“Visitation”) CASES  
POST-DECREE VERSION**

**1**

**To Petition for Mediation  
AFTER AN ORDER HAS BEEN  
ENTERED IN YOUR CASE**  
(Forms and Instructions)



## SELF SERVICE CENTER

### PETITION FOR POST-DECREE MEDIATION

This packet contains court forms and instructions to file a “***Petition for Post-Decree Mediation***” or if the parties are requesting Mediation together, a “***Joint Petition for (Post-Decree) Mediation***,” in a Family Court case involving custody and parenting time (visitation) issues involving the parties’ minor child(ren). Documents listed in **BOLD** are forms that are filed with the Court; Non-bold items are instructions or procedures pages. Do NOT copy or file those pages. The documents should appear in the following order:

Order	File Number	Title	No. Pp.
1	DRADM9t	Table of forms/instructions in this packet	1
2	DRADM9k	Checklist: Use these forms if . . .	1
3	DRADM91h	Instructions and Procedures to Petition for Post-Decree Mediation	3
4	DRADM91f	<b>“<i>Petition for Post-Decree Mediation</i>”</b>	1
5	DRADM92f	<b>“<i>Joint Petition for Post-Decree Mediation</i>”</b>	1
6	DRAD21f	<b>“<i>Certificate of Service</i>”</b>	1

#### WARNING

**YOU WILL HAVE TO PAY A \$200 FEE IF YOU FAIL TO ATTEND A SCHEDULED MEDIATION SESSION.**

**IF YOU CANNOT ATTEND, BOTH PARTIES MUST NOTIFY CONCILIATION SERVICES AND RECEIVE PERMISSION TO RESCHEDULE AT LEAST THREE FULL COURT DAYS BEFORE THE SESSION.**

**IF YOU REACH A FULL AGREEMENT ABOUT CUSTODY AND PARENTING TIME AND DO NOT PLAN TO COME TO THE MEDIATION SESSION, BOTH PARTIES MUST NOTIFY CONCILIATION SERVICES AS SOON AS POSSIBLE OF THE SETTLEMENT TO AVOID PAYING THIS FEE.**

The documents you have received are copyrighted by the Superior Court of Arizona in Maricopa County. You have permission to use them for any lawful purpose. These forms shall not be used to engage in the unauthorized practice of law. The Court assumes no responsibility and accepts no liability for actions taken by users of these documents, including reliance on their contents. The documents are under continual revision and are current only for the day they were received. It is strongly recommended that you verify on a regular basis that you have the most current documents.

**SELF SERVICE CENTER**  
**COURT FORMS AND INSTRUCTIONS TO PETITION FOR**  
**POST-DECREE MEDIATION**

**CHECKLIST**

**Use the forms and instructions in this packet ONLY if the following factors apply to your situation:**

- ✓ You and the other party do **not** agree about the custody and parenting time ("visitation") issues in your case, **AND**
- ✓ You want to try mediation to resolve custody and/or parenting time issues, **AND**
- ✓ You have an existing case and case number in this Court and a final Judgment, Decree, or Order concerning custody or parenting time (visitation) has previously been signed by a Judicial Officer. **AND**
- ✓ The prior case was for one of the following actions, involving the same child(ren) as in this case:
  - ***"Paternity," OR***
  - ***"Paternity plus Custody, Parenting Time and/or Support," OR***
  - ***"Legal Separation" or "Divorce" "With Children," OR***
  - ***"Grandparent Visitation,"***

**\*NOTE:** If this is a PRE-Decree matter, meaning an Order, Judgment or Decree has **NOT** been previously signed by a Judicial Officer in this case, **STOP** - you must use the PRE-DECREE version of the MEDIATION packet instead.

**WARNING! THERE IS A \$200 FEE FOR FAILURE TO ATTEND A SCHEDULED MEDIATION. IF YOU CANNOT ATTEND OR NO LONGER NEED MEDIATION, REFER TO THE INSTRUCTIONS FOR HOW TO PROVIDE PROPER NOTICE TO AVOID HAVING TO PAY THIS FEE.**

**READ ME:** When you file documents with the Court, you are acting as your own attorney. Your actions may seriously affect your legal rights and responsibilities. Consult a qualified legal professional to help guard against unwanted and unexpected results. The Self Service Center has a list of lawyers who can give you legal advice and who can help you on a task-by-task basis for a fee, and a list of court-approved mediators as well. You may view the lists at the Self Service Centers or on the web by clicking on the button to the right of "Lawyers and Mediators" at:  
<http://www.superiorcourt.maricopa.gov/ssc>

**SELF SERVICE CENTER**  
**INSTRUCTIONS and PROCEDURES TO PETITION**  
**FOR POST-DECREE MEDIATION**

**STEP 1      Select the correct petition**

Use the “***Petition for Post-Decree Mediation***” and “***Certificate of Service***” if you are requesting Mediation by yourself, not jointly with the other party.

**OR**      Use the “***Joint Petition for Post-Decree Mediation***,” if both parties want to go to mediation and both parties will sign the Joint Petition.

**STEP 2      Complete the Petition and Order**

**Using black ink only, type or neatly print** the information requested in the top, left-hand corner of the document, ***unless***:

- **The other party does not know your current address; AND**
- **You do not want the other party to know your current address; AND**
- **There is a current Order of Protection in force; AND**
- **You requested that your address be protected on that Order.**

If all of the above are true, write “**protected**” in the space where the Court asks for your contact information and tell the Clerk of the Court your address and phone number at the time of filing so the Court can get in touch with you.

**NOTE:** If you are a victim of domestic violence, and you do not want your address to be known to protect yourself or your children, **you must file a “*Petition for an Order of Protection*”** and ask that your address **not** be disclosed to avoid having to put your address and phone number on these or other court papers given to the other party.

If your case has an ATLAS number, write it on the line provided. Check the box to indicate whether you are represented by an attorney. If so, complete the attorney information section.

Then, write in the case number in the space provided at the top right portion of the form. Your case number begins with “**D**”, “**DR**”, or “**FC**”. This is the file number of your divorce, paternity, or family court case.

Write in the name of the Judge currently assigned to your case.

**STEP 3      Complete the caption** of the case as it appears on the court papers previously filed in this case. If you are the Petitioner in your pre-existing case in this Court, you stay Petitioner. If you were the Respondent, you are the Respondent here also.

**STEP 4      Fill in the Petition**

1.      **Check the box** that tells the court whether you are Divorced or have had Paternity established or “Other” Court Order entered, such as for Grandparent Visitation.
- OR**
2.      **Check the box** that tells the court you are already divorced and whether you now have a disagreement and your parenting-plan requires you to attend mediation before filing papers with the Judge.
3.      **Check the box** that tells the court whether you and the other party have tried mediation before in this case.
4.      **Describe** the disagreement between you and the other party. Be brief. Be specific.

5. **Complete** the information about the other Party. You must be able to provide the current address for the other party to use the mediation services of the Court.
6. Sign and date the *"Petition for Post-Decree Mediation."*

**STEP 5 Select and Complete Either the "Petition" or "Joint Petition" "for Post-Decree Mediation".**

**STEP 6 Making Copies / Filing Papers.**

**If filing the "Joint Petition":**

- Get BOTH parties' signatures on the form.
- Make three copies.
- File the original and copies with Conciliation Services.
- Conciliation Services will then send an Order to Appear for a scheduled mediation session.

**STOP!** If you are filing the Joint Petition, you are done. The instructions below do not apply if filing jointly.

**If you are unable to get the notarized signature of the other party on the "Joint Petition", use the "Petition for Post-Decree Mediation":**

1. **Fill out and make three copies** of the *"Petition for Post-Decree Mediation"*.
2. **Mail or Deliver** one copy of the *"Petition for Post-Decree Mediation"* to the other party.
3. **Keep** one copy for your records.
4. **Deliver** the following to the Conciliation Services office at either the Mesa or downtown Phoenix Courthouse location:
  - the original and one copy of the *"Petition for Post-Decree Mediation", AND*
  - *one copy of your divorce decree or other court order that requires you to participate in mediation before filing a court case for custody or parenting time, AND*
  - **Either:**
    - a) a ***"Certificate of Service"*** completed and signed by you, stating when and how you delivered a copy of your Petition for Post Decree Mediation to the other party or their attorney, **OR**
    - b) an ***"Acceptance of Service,"*** with the notarized signature of the other party stating they received their copy. Available from the Self Service Center or from the web at: <http://superiorcourt.maricopa.gov/ssc>

**CONCILIATION SERVICES ADDRESSES**

**Central Court Building**  
201 West Jefferson, 3rd floor  
Phoenix, Arizona 85003

**Southeast Court Complex**  
222 East Javelina Drive, 1st floor  
Mesa, Arizona 85210

**Northwest Court Complex**  
14264 West Tierra Buena Lane  
Surprise, Arizona 85374

**Northeast Court Complex**  
18380 North 40<sup>th</sup> Street  
Phoenix, Arizona 85032

If mediation is scheduled, you and the other party will receive an ***“Order to Appear and Attend the Mediation”*** from the Conciliation Services Office.

**Note: You must have a case in this Court involving the children who are the subject of this dispute to use the mediation services provided by the Court. If you do not, you may still benefit from the services of a private mediator. See below for additional information on private mediation / dispute resolution.**

Do not copy  
or file this page

Person Filing: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
City, State, Zip Code: \_\_\_\_\_  
Daytime / Evening Phone: \_\_\_\_\_ / \_\_\_\_\_  
In this case I am a: ☐ Petitioner or a ☐ Respondent ☐ Represented by Attorney  
Attorney Name: \_\_\_\_\_ Bar No.: \_\_\_\_\_  
Attorney Phone: \_\_\_\_\_ Atty. Email: \_\_\_\_\_  
ATLAS No. (if applicable): \_\_\_\_\_

## SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

\_\_\_\_\_  
Name of Petitioner

Case Number: \_\_\_\_\_

\_\_\_\_\_  
Name of Respondent

Current Judge: \_\_\_\_\_

### PETITION FOR POST-DECREE MEDIATION

(File with Conciliation Services)

We **do not** agree about the custody and/or parenting-time issues involving our child(ren) but we do agree to participate in mediation. We ask for mediation of the issues, based on the following:

**1. Check one box only.**

☐ **After Divorce or Legal Separation:** My ex-spouse and I are already divorced or legally separated from each other and we have a disagreement about legal custody and/or parenting time of our children.

**OR**

☐ **After Court Order of Paternity:** Paternity has already been established by Court Order and we have a disagreement about legal custody and/or parenting-time of our children.

**OR**

☐ **OTHER** (Describe): \_\_\_\_\_

**2.** ☐ **Our Decree or Parenting Plan requires us to participate in mediation** before filing papers with the Judge. (If "yes", attach a copy of that Decree or Parenting Plan to the Petition.)

**3. Check one box only.** ☐ We have not participated in mediation **OR**  
☐ We have participated in mediation before.

**4. Describe the disagreement.** Be brief and specific. (The disagreement must involve the custody and/or parenting time of your minor children):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**5. Information About Other Party:** Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip code: \_\_\_\_\_  
Telephone Number(s): \_\_\_\_\_ / \_\_\_\_\_  
Attorney (if known): \_\_\_\_\_  
Date : \_\_\_\_\_

\_\_\_\_\_  
Signature of Person Submitting Petition for Mediation

**NOTICE TO BOTH PARTIES:** If your order is signed by the Judicial Officer, Conciliation Services will mail an "Order to Attend Mediation" to both parties. **WARNING: FAILURE TO ATTEND CARRIES A \$200 FEE.**

## SUPERIOR COURT OF ARIZONA IN MARICOPA COUNTY

\_\_\_\_\_  
Name of Petitioner

Case Number: \_\_\_\_\_

ATLAS Number: \_\_\_\_\_  
(if applicable)

\_\_\_\_\_  
Name of Respondent

Assigned to Judge: \_\_\_\_\_

### JOINT PETITION FOR POST-DECREE MEDIATION

(File Petition and Order with Conciliation Services)

We **do not** agree about the custody and/or parenting-time issues involving our child(ren) but we do agree to participate in mediation. We ask for mediation of the issues, based on the following:

**1. Check one box only.**

- ☐ **After Divorce or Legal Separation:** My ex-spouse and I are already divorced or legally separated from each other and we have a disagreement about legal custody and/or parenting time of our children, **OR**
- ☐ **After Court Order of Paternity:** Paternity has already been established by Court Order and we have a disagreement about legal custody and/or parenting-time of our children, **OR**
- ☐ **OTHER** (Describe): \_\_\_\_\_

**2. ☐ Our Decree or Parenting Plan requires us to participate in mediation** before filing papers with the Judge. (If "yes", attach a copy of that Decree or Parenting Plan to the Petition.)

**3. Check one box only.**

☐  
☐

We have not participated in mediation **OR**

We have participated in mediation before.

When: \_\_\_\_\_

Where: \_\_\_\_\_

When: \_\_\_\_\_

Where: \_\_\_\_\_

**3. Describe the disagreement.** Be brief and specific. (The disagreement must involve the custody and/or parenting time of your minor child(ren)): \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Petitioner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Respondent

Address: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

\_\_\_\_\_  
Petitioner's Attorney (if applicable)

\_\_\_\_\_  
Respondent's Attorney (if applicable)

**NOTICE TO BOTH PARTIES:** After this Joint Petition is filed, Conciliation Services will mail an "Order to Attend Mediation" to both parties. **WARNING: THERE IS A \$200 FEE FOR FAILURE TO ATTEND!**



## CERTIFICATE OF SERVICE

**This page must be completed and attached to the last page of your Petition for Mediation.**

- **DO NOT USE IF FILING JOINT PETITION.**
- **NOT REQUIRED WHEN PARTIES SIGN AND FILE JOINTLY (TOGETHER).**

1. ☐ **I AM FILING FOR PRE-DECREE MEDIATION (and NOT using the Joint Petition).**

☐ I have filed the ORIGINAL of the attached "**Petition for Pre-Decree Mediation**" with the Clerk of the Superior Court on this date: \_\_\_\_\_, 20\_\_\_\_.  
Month Day Year

☐ I have mailed or delivered a COPY of the attached "**Petition for Pre-Decree Mediation**" to the Judge or other Judicial Officer assigned to this case, namely \_\_\_\_\_, on this date \_\_\_\_\_, 20\_\_\_\_.  
Name of Judicial Officer assigned to your case Month Day Year

**OR**

2. ☐ **I AM FILING FOR POST-DECREE MEDIATION (and not using the Joint Petition).**

☐ I have mailed, personally delivered, or caused to be delivered a COPY of the attached "**Petition for Post-Decree Mediation**" to the other party (ies) and his/her lawyer (if applicable) listed below, on this date: \_\_\_\_\_, 20\_\_\_\_.  
Month Day Year

***(You must mail or deliver a copy of all documents to the other side and his or her lawyer)***

\_\_\_\_\_  
Name of Other Side

\_\_\_\_\_  
Name of Other Side's Lawyer

\_\_\_\_\_  
Address

\_\_\_\_\_  
Lawyer's Address

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
City, State, Zip

**By signing below, I state under penalty of law that I have filed and/or mailed, delivered or caused to be delivered the attached document(s) as listed above. I understand that if I do not file/mail the attached document(s) as shown above, the Judicial Officer will not read my Petition.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Your signature